

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1146 be amended to read as follows:

- 1 Page 1, line 2, delete "[EFFECTIVE JANUARY 1, 2001]" and
2 insert "[EFFECTIVE JULY 1, 2001]".
3 Page 1, between lines 10 and 11, begin a new paragraph and insert:
4 "SECTION 1. IC 34-13-3-20 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 20. (a) A political
6 subdivision may purchase insurance to cover the liability of itself or its
7 employees. Any liability insurance so purchased shall be purchased by
8 invitation to and negotiation with providers of insurance and may be
9 purchased with other types of insurance. If such a policy is purchased,
10 the terms of the policy govern:
11 (1) the rights and obligations of the political subdivision and the
12 insurer with respect to the investigation, settlement, and defense
13 of claims or suits brought against the political subdivision or its
14 employees covered by the policy; **and**
15 (2) **with respect to the maximum aggregate liability**
16 **limitations when the policy provisions are in excess of the**
17 **limitations in section 4 of this chapter.**
18 However, the insurer may not enter into a settlement for an amount that
19 exceeds the insurance coverage without the approval of the mayor, if
20 the claim or suit is against a city, or the governing body of any other
21 political subdivision, if the claim or suit is against such political
22 subdivision.
23 (b) The state may not purchase insurance to cover the liability of the
24 state or its employees. This subsection does not prohibit any of the

- 1 following:
- 2 (1) The requiring of contractors to carry insurance.
- 3 (2) The purchase of insurance to cover losses occurring on real
- 4 property owned by the public employees' retirement fund or the
- 5 Indiana state teachers' retirement fund.
- 6 (3) The purchase of insurance by a separate body corporate and
- 7 politic to cover the liability of itself or its employees.
- 8 (4) The purchase of casualty and liability insurance for foster
- 9 parents (as defined in IC 27-1-30-4) on a group basis."
- 10 Page 1, line 11, delete "This act applies" and insert "**IC 34-13-3-4**
- 11 **and IC 34-13-3-20, both as amended by this act, apply**".
- 12 Page 1, line 12, delete "December 31, 2000" and insert "**June 30,**
- 13 **2001**".
- 14 Renumber all SECTIONS consecutively.
- (Reference is to HB 1146 as printed January 25, 2000.)

Representative Dvorak